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NO. 2573 P. 6

DEC 22 2004

RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROSECUTION  
ART UNIT 1616

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Bernard A. Sabel and Ulrike Schroeder

Serial No.: 09/445,439

Art Unit: 1616

Filed: February 23, 2000

Examiner: Hartley, Michael G

For: *DRUG TARGETING SYSTEM, METHOD OF ITS PREPARATION AND  
ITS USE*

BOX AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE**

Sir:

Responsive to the Office Action mailed on July 22, 2004, please amend the

01/19/2005 GANTHONY application as follows: Submitted with this Amendment and Response is a Petition for

01 FC:2252 225.00 BA Extension of Time to extend the period for response for two months, to and including

December 22, 2004. The Commissioner is hereby authorized to charge \$225.00, the  
required fee for a small entity for a two-month extension of time to Deposit Account No.  
50-3129.

It is believed that no additional fee is required with this submission. However,  
should an additional fee be required, the Commissioner is hereby authorized to charge the  
fee to Deposit Account No. 50-3129.

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NO. 2573 P. 5

PTO/SB/31 (09-04)

Approved for use through 07/31/2008. OMB 0631-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  <b>NPA 100</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(e)] on _____  Signature _____  Typed or printed name <u>Please See Attached Transmittal</u>		In re Application of <b>Bernhard A. Sabel</b> Application Number <b>09/445,439</b> Filed <b>February 23, 2000</b> For <b>Drug Targeting System, Method of its Preparation and Use</b> Art Unit <b>1616</b> Examiner <b>Michael G. Hartley</b>	
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>500.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>250.00</u>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>503129</u> . I have enclosed a duplicate copy of this sheet.			
I am requesting an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed. 01/19/2005 G. N. CHINA REGIONAL 503129 09445439 Sale Ref: 0000002 DAN: 503129 09445439 01 FC:2401			
<b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
<input type="checkbox"/> applicant/inventor.		_____ Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		_____ Patrea L. Pabst Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>31,284</u>		_____ 404.879.2151 Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____		_____ December 22, 2004 Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 13 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.